

**CITY OF MILPITAS PLANNING COMMISSION
FINAL AGENDA FOR MARCH 12, 2008
CITY HALL COUNCIL CHAMBERS 7:00 P.M.
455 E. CALAVERAS BLVD., MILPITAS, CA 95035
(408) 586-3279**

- I. PLEDGE OF ALLEGIANCE**
- II. ROLL CALL**
- III. PUBLIC FORUM**

Members of the audience are invited to address the Planning Commission on any subject not on tonight's agenda. Speakers must come to the podium, state their name and address for the Secretary's record, and limit their remarks to under three minutes. As an unagendized item, no response is required of the City staff or the Commission; however, the Commission may agendize the item for a future meeting.

- IV. APPROVAL OF MINUTES:** February 27, 2008
- V. ANNOUNCEMENTS**
- VI. ANNOUNCEMENT OF CONFLICT OF INTEREST**
- VII. APPROVAL OF THE AGENDA**
- VIII. CONSENT CALENDAR (Items with an asterisk *)**

At this time any member of the Planning Commission, member of the audience, or staff may request of the Planning Commission to have any item removed from or added to the consent calendar. If removed, this item will be discussed in the order which it appears on the agenda.

IX. PUBLIC HEARING

- 1. CONDITIONAL USE PERMIT AMENDMENT NO. UA08-0003:**
A request to amend an existing Conditional Use Permit (UP2006-15) for modifications to the approved floor plan and to permit joint parking facilities for an industrial building located at 1511 Buckeye Drive (APN: 086-03-025), zoned Industrial Park (MP). Applicant: Robert Cordes. Staff Contact: Cindy Hom, (408) 586-3284. (PJ# 3209) *(Recommendation: Adopt Resolution No. 08-011 for approval)*
- 2. CONDITIONAL USE PERMIT NO. UP08-0002:** A request to locate a new take-out restaurant with parking reduction within the Victoria Square Shopping Center located at 1243 E Calaveras Boulevard (APN: 029-13-041), zoned General Commercial (C2). Applicant: Subway, c/o David J. Elliott. Staff Contact: Tiffany Kunsman, (408) 586-3283. (PJ# 2513) *(Recommendation: Adopt Resolution No. 08-010 for approval)*
- * 3. CONDITIONAL USE PERMIT NO. UP08-0005:** A request to allow a take out restaurant with interior tenant improvements located at 136 North Milpitas Boulevard (APN: 028-12-019), zoned Town Center (TC). Applicant: George Shen. Staff Contact: Judie Gilli, (408) 586-3280. (PJ# 2516) *(Recommendation: Adopt Resolution No. 08-009 for approval)*

X. PRESENTATION

- 4. UPDATE ON SOUTH MAIN STREET STREETScape – PHASE I PROJECT:** A progress report regarding the implementation of streetscape improvements. Staff Contact: Jaime Rodriguez, (408) 586-3335. *(Recommendation: Note Receipt and File)*

5. **DEVELOPMENT REVIEW WITHIN THE MIDTOWN SPECIFIC PLAN AREA:** A review of the proposed development and design within the Midtown Specific Plan area. Staff Contact: Tiffany Kunsman, (408) 586-3283. *(Recommendation: Note receipt and file)*

XI. NEW BUSINESS

6. **REVIEW OF CONDITIONAL USES WITHIN INDUSTRIAL ZONES:** Discussion of the variety of non-industrial uses that are conditionally allowed in the industrial zoning districts. Staff Contact: James Lindsay, (408) 586-3273 and Diana Whitecar, (408) 586-3059. *(Recommendation: Provide direction to staff)*

Any person aggrieved by any final decision of any, board, commission, or department head to the City of Milpitas may appeal the decision to the City Council by filing written notice of the appeal with the City Clerk within twelve (12) calendar days of the date of said decision and paying the required fee. This time limit shall be strictly enforced.

XII. ADJOURNMENT

THE NEXT PLANNING COMMISSION MEETING IS March 26, 2008

The Planning Division will provide a recorded agenda or minutes on standard cassette or printed in large type upon request for the visually impaired. In compliance with the Americans with Disabilities act, individuals requiring accommodation for this meeting should notify the Planning Division prior to the meeting at (408) 586-3279, TDD (408) 586-3013.

MILPITAS PLANNING COMMISSION SUBCOMMITTEE

The Planning Commission Subcommittee consists of two members (currently Cliff Williams-regular member, Noella Tabladillo-regular member, Gunawan Ali-Santosa-alternate member) of the Planning Commission, who have approval authority for minor "S" Zone project reviews not involving public hearings. **This project review will be held at 6:30 P.M. in the City of Milpitas Committee Conference Room, First Floor, 455 E. Calaveras Boulevard.**

- a. **SITE AND ARCHITECTURAL REVIEW AMENDMENT NO. SA08-0005:** A request to allow for exterior modifications to a restaurant located within the Great Mall at 246 Great Mall Drive (APN: 086-24-060), zoned General Commercial (C2). Applicant: Chipotle Mexican Grill. Staff Contact: Tiffany Kunsman, 408-586-3283. *(Recommendation: Approve subject to the Findings and Special Conditions of Approval)*

KNOW YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE

Government's duty is to serve the public, reaching its decisions in full view of the public. Commissions, boards, councils and other agencies of the City exist to conduct the people's business. This ordinance assures that deliberations are conducted before the people and the City operations are open to the people's review. **FOR MORE INFORMATION ON YOUR RIGHTS UNDER THE OPEN GOVERNMENT ORDINANCE OR TO REPORT A VIOLATION OF THE ORDINANCE, CONTACT THE OPEN GOVERNMENT SUBCOMMITTEE** at the City Attorney's office at the Milpitas City Hall, 455 E. Calaveras Blvd, Milpitas, CA 95035.

E-mail: mogaz@ci.milpitas.ca.gov

Fax: (408) 586-3030

Phone : (408) 586-3000

A free copy of the Open Government Ordinance is available from the City Clerk's Office or by visiting the City's website www.ci.milpitas.ca.gov Select Open Government Ordinance under News Features